

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Nabil L. Muhanna et al.
Serial No.: 10/766,684
Filing Date: January 28, 2004
Art Unit: 3738
Confirmation No.: 2069
Examiner: Bruce Edward Snow
For: ARTIFICIAL INTERVERTEBRAL DISC

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**AMENDMENT
PURSUANT TO REQUEST FOR CONTINUED EXAMINATION
(Submission under 37 C.F.R. § 1.114(c))**

Dear Sir:

Applicants submit this response to an Office Action made final and mailed on December 2, 2008. The amendments and remarks as provided herein are filed pursuant to a Request for Continued Examination under 37 C.F.R. § 1.114 submitted concurrently herewith. Such papers are timely filed with the appropriate fees and a Petition for Extension of Time for three months.

In view of the amendments and remarks provided herewith, Applicants respectfully request entry of this Amendment, believed necessary to bring prosecution to a speedy conclusion and to deal justly by Applicants and the public. Applicants believe this Amendment defines their invention in claims that will give them patent protection to which they are justly entitled. No new matter is included with this paper and, as such, it is believed that no additional search is required on the part of the Examiner. Accordingly, Applicants respectfully request

reconsideration and withdrawal of the outstanding rejections and requests allowance of claims pending in their Application for patent.

In view of the above, provided herewith are the following:

Amendments to the Claims as reflected in the Listing of Claims that begin on page three (3) of this paper; and

Remarks that begin on page six (6) of this paper.